IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.7 OF 2007

Katayun F. Sethna ....Plaintiff No.1
V/s.
Firdaus D. Sethna ....Plaintiff No.2

Mrs.Aramaity S. Khushrushahi for the Plaintiffs.

CORAM : S.J. VAZIFDAR, J.
DATED : 23RD JULY, 2007.

P.C. :

Mentioned, not on board.

2. The Petitioner has filed the suit for a decree for divorce dissolving the marriage under Section 32-B of the Party Marriage and Divorce Act, 1936 and for withdrawal of the suit No.15 of 2006 filed by Plaintiff No.1.

3. The marriage between Plaintiff No.1 and Plaintiff No.2 was solemnized on 24.12.1981. There are two issues of the said marriage namely a daughter born on 14.4.1984 and a daughter born on 14.5.1986.

4. Differences arose between the Plaintiffs in 1987. All attempts at resolving the same were futile.

In 1989 Plaintiff No.1 left the matrimonial home and has started living separately at her parents' house.

5. Plaintiff No.1 filed the said suit in March, 2006 for divorce on the ground of cruelty and desertion. However, to avoid any litigation, the Plaintiffs have finally come an understanding.

6. An affidavit of Plaintiff No.1 by way of evidence tendered in Court, taken on record and marked "X" for identification. An affidavit of Plaintiff No.2 by way of evidence tendered in Court, taken on record and marked "X-1" for identification.

7. The facts on record indicate quite clearly that there are irreconciliable differences between the parties which cannot be resolved. I am satisfied that there is no force, fraud or undue influence in coming into the present understanding.

8. In the circumstances, the suit is decreed as prayed.